

### Exclusion, Debarment and Medi-Cal Sanction Checks

- What are Exclusion, Debarment, and Medi-Cal Sanction (EDM) checks?

EDM checks reference a process required of HHSA contractors to ensure compliance with federal and State requirements and HHSA policy. Neither contractors, nor any of their workforce members, can be actively listed on the General Services Administration Excluded Parties Listing, the Office of Inspector General List of Excluded Individuals/Entities, or the California Department of Health Care Services List of Suspended or Ineligible Providers. More information, including links to these lists, can be found here: [https://www.sandiegocounty.gov/content/sdc/hhsa/programs/sd/agency\\_contract\\_support/exclusion\\_and\\_debarment\\_verification.html](https://www.sandiegocounty.gov/content/sdc/hhsa/programs/sd/agency_contract_support/exclusion_and_debarment_verification.html)

- Where can I find the contractual requirements related to EDM checks?

EDM requirements are typically included in the contract template, section 8.16.

- On whom are contractors required to perform EDM checks?

EDM checks should be run on any and all workforce members, i.e., individuals who work on the contract in any capacity, including paid staff, unpaid workers, and/or subcontractors or consultants. Workforce members include individuals with budgeted position in a contract and those paid via indirect funds or overhead. Workforce members include individuals with access to identifying information on HHSA clients, even if the individual isn't paid through the contract.

- How do contractors perform the checks? What about subcontractors and consultants?

Contractors may satisfy EDM requirements in a variety of ways. Contractors may check each workforce member's name against each of the three databases manually or use a third-party software to check all three databases simultaneously. Contractors may also hire a third party to run the checks. Likewise, contractors have the flexibility to either run EDM checks on their subcontractors/consultants or to pass down the EDM requirements for subcontractors/consultants to do themselves. Regardless of how a contractor chooses to complete EDM checks, it is the responsibility of the contractor to ensure EDM checks are performed on all workforce members, thoroughly and timely.

- How often do EDM checks need to be run?

Because the EDM lists are updated monthly, contractors should perform EDM checks monthly, specifically at the same time each month. This will ensure contractors are checking against an updated list.

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- Does HHSA offer any training on how to run EDM checks?

Yes, the Agency Compliance Office can provide training on how to run EDM searches manually.

- Does HHSA recommend any third-party software or vendor who performs EDM checks?

HHSA does not have a specific software or entity that it recommends. Contractors should perform due diligence before selecting a third-party software or vendor.

- What happens if an individual shows up on one or more EDM lists?

An active 'hit' on any of the lists disqualifies individuals from performing any work on HHSA contracts, even if that work is unpaid. Contractors should let their Contracting Officer's Representative (COR) know immediately if a workforce member has an active 'hit.' Self-disclosure to the federal and/or State government and repayment of funds received. Therefore, it is important for contractors to confirm the identity of any workforce members who appear on the list, since many individuals share the same name. Contractors should also ensure the exclusion, debarment, or suspension is active.

- What kind of documentation will likely satisfy an HHSA audit of EDM checks?

The type of documentation required by HHSA during an audit may vary. For most routine audits, the COR team will solicit information about the contractor's process and ask to see the contractor's EDM check policy. COR teams may also verify EDM checks were run on a random sampling of individuals. EDM documentation should generally include: who was searched; date searched; databases searched; results of search; name of staff conducting the search; and name of staff reviewing the search. Non-routine audits may involve other questions/review. HHSA does not require that contractors keep screen shots of each individual searched, but if that is how contractors document their searches, then COR teams will likely need to review these documents.

Don't see your question answered above? Have additional Article 14 questions? Your COR team is your primary resource for any and all questions related to your HHSA contract. The Agency Compliance Office is also a resource for Article 14 questions.

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